

\*E-Filed: September 9, 2014\*

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

NGA TUYET NGUYEN,

No. C14-01487 HRL

Plaintiff,

**ORDER DENYING PLAINTIFF'S  
MOTION FOR SUMMARY  
JUDGMENT**

v.

**[Re: Docket No. 9]**

SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SANTA CLARA, sued herein  
as THE MANAGEMENT OF SANTA  
CLARA SUPERIOR COURT,

Defendant.

Nga Tuyet Nguyen, proceeding pro se, filed suit against the Superior Court of California, County of Santa Clara (sued as "The Management of Santa Clara Superior Court") on March 31, 2014. Defendant's response to the complaint was due by July 28, 2014. On July 9, 2014, before Defendant filed a response, Plaintiff filed a Motion for Summary Judgment. Dkt. No. 9.

Summary judgment should only be sought "after adequate time for discovery." *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986). No discovery has taken place in this action. Plaintiff's Motion for Summary Judgment is premature, and therefore is denied. Plaintiff may re-file a motion for summary judgment once discovery has been conducted. Any motion that Plaintiff chooses to

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1 file must comply with the case schedule that will be set at the upcoming October 28, 2014 Case  
2 Management Conference.

3 **IT IS SO ORDERED.**

4 Dated: September 9, 2014



5 HOWARD R. LLOYD  
6 UNITED STATES MAGISTRATE JUDGE  
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**Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.**